



New Mexico State Personnel Board

State Personnel Office

SUSANA MARTINEZ
GOVERNOR

Justin Najaka
Interim Director

Nivia L. Thames
Deputy Director

State Personnel Board
Paul T. Yarbrough, Chairman
Christine Romero, Vice Chairman

Dennis Garcia Rebecca Long
Megan Muirhead

State Personnel Board Meeting
State Personnel Office
2600 Cerrillos Road
Santa Fe, NM 87505
December 5, 2014

Minutes

I. Procedural Items

Call to Order

The meeting of the State Personnel Board (SPB) was called to order by Chairman Yarbrough at approximately 9:00 a.m. on December 5, 2014 at the State Personnel Office (SPO), Santa Fe, New Mexico.

Invocation David Berry

Pledge of Allegiance Michael McEuen

Roll Call

Justin Najaka, Interim Director, SPO, called roll and a quorum was established with the following members present:

Paul Yarbrough, Chairman
Christine Romero, Vice Chairman
Dennis Garcia
Rebecca Long
Megan Muirhead

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Approval of Agenda

Board Member Long moved to approve the agenda, seconded by Board Member Garcia. Motion carried.

Approval of Minutes – October 24, 2014

Board Member Long moved to approve the October 24, 2014 State Personnel Board meeting minutes, seconded by Vice Chairman Romero. Motion carried.

II. Director's Report

Interim Director Najaka reported on the following items:

On October 30, 2014 SPO presented its FY2016 operating budget to an LFC subcommittee.

On December 11, 2014 the Annual Compensation Report was presented to the Legislative Finance Committee.

The State Personnel Office continues to work with Neville Kenning from Kenning Consulting concerning the Information Technology Classification Study. Chief Information Officers (CIO) from all agencies have been notified concerning the study and related position analysis questionnaires. The questionnaires will be sent out to the agencies and SPO is requesting the agencies be given four weeks to complete the questionnaires. SPO hopes to have all questionnaires returned before the Christmas holiday to begin the review process.

III. General Public Comment

Kenneth Long employee of New Mexico Department of Transportation and President of Albuquerque Area State Employees Local 12 spoke; expressing his concern regarding the FY09 arbitration process. Mr. Long stated that he hoped the website would be updated more frequently.

Miles Conway AFSCME Council 18, commented it would help if the state could provide specific, detailed information; this would assist the union and give employees needed information regarding the process.

Shawn Lerch from Miners Colfax Medical Center (MCMC) thanked the board for the leadership and vision in 2014. Last year Mr. Lerch came before the board regarding physician compensation; since then, physician compensation has been addressed and the agency has recruited 10 new physicians. Mr. Lerch also asked for leadership and vision as MCMC and SPO look at new compensation models for all positions at MCMC.

Interim Director Najaka responded to the issues concerning FY09 Arbitration checks; as soon as the data is received from the contractor special payrolls are being processed. The checks are being run based on the complexity of the transactions for each individual. Board Members Garcia and Long asked if information can be provided on who has received their checks and a list of individuals who are still waiting for the calculations of their back pay. Interim Director



Najaka will follow up to see if a list can be provided for presentation at the next board meeting. Board Member Garcia asked if the information on the website could be updated on a more frequent basis, even if the information states that is no current information to report. Interim Director Najaka confirmed that the process is a collaborated effort between agencies: New Mexico Department of Information Technology (NMDOIT), Department of Finance and Administration (DFA), General Services Department (GSD) Risk Management and SPO. Board Member Garcia stated that there should be a lead and that it should be SPO.

IV. Annual Compensation Report

Interim Director Najaka presented an overview of the 2014 Classified Service Compensation Report. Interim Director Najaka stressed the need to enhance the compensation system to ensure the state is in line with the market. The objective of the report is to identify the key issues that are currently being faced by the state in regards to classified service and to provide a status of where we are and what we have done. This will assist policy makers on how to proceed forward. Most classifications are paid close to comparative market however; certain key areas such as healthcare, corrections and child protective services still require attention. The legislature appropriated a 3% salary increase however it does not address the issues associated with compensation within a handful of subgroups.

Job descriptions and actual job requirements don't always match, impacting the ability to recruit and retain qualified employees. In FY14, 26 classification studies were conducted impacting 162 positions. The state is paying appropriately however the salary structure is lagging and the pay structure is not being utilized as it was designed to be utilized. The salary structure is impacting the state's ability to attract and retain qualified employees.

In total compensation salary counts as 57.4% and benefits count as 42.6%. Many potential employees look at salary and not the total compensation package. New Mexico's benefits exceeds the nations comparator groups, however civilian workers, private industry and state and local government national comparator groups exceeds the wages and salaries of the State of New Mexico. Moving forward SPO is in the process of creating a new classification structure with 12 pay lines: Corrections, Healthcare, Information Technology, Protective Services, Social Services, Engineering, General Administration, Legal, Management, Professional, Scientific, and Trades and Labor.

In FY14 there were 3,227 new hires, 2,858 separations, and over 246,000 applications received. Vice Chairman Romero suggested the state may consider partnering with Quality New Mexico. Board Member Garcia was concerned that the board did not have adequate time to read and review the report. Interim Director Najaka apologized and assured the Board that, in the future, SPO will provide the information in a more timely manner.

Interim Director Najaka recommended adoption of the 2014 Classified Service Compensation Report as presented, as the report of the SPB, to be delivered to the legislature and the governor as required by SPB rule.

Board Member Long moved to adopt the 2014 Classified Service Compensation Report, as presented as the report of SPB, seconded by Vice Chairman Romero.



All Board Members in favor of adoption of 2014 Classified Service Compensation Report with the exception of Board Member Garcia who voted no. Motion carried.

V. Overview Compensation and Classification Plan

Interim Director Najaka presented the ongoing Compensation and Classification Reform Project. The Compensation and Classification Reform Project will reengineer the compensation and classification system for the State's Classified Service and its employees. The Compensation and Classification Team has reviewed all classification titles for relevance, designed new Pay Band and Classification codes and developed a cross walk for moving existing titles into the new structure. This presentation was requested by Board Member Garcia, a similar version of the presentation was presented to the Legislative Finance Committee on September 26, 2014. The project began in the fall of 2012 when SPO contracted with the Hay Group to establish a general framework for the compensation and classification system. The Hay Group evaluation methodology along with an evaluation committee was used to review the size of jobs. Because some classifications are generic, the new classification system is developing more specific job titles based on job duties. The new system is divided into 16 occupational work groups and then categorized into job families within those groups, the job families may change once the study is complete. The new system will assist SPO and agencies in correctly categorizing positions within the sixteen work groups. The system will only cover classified positions and not GOV Ex positions. The sample cross walk lists each position, the number of incumbents and where the positions fall under the new job titles. This will condense quite a number of positions. Interim Director Najaka recognized the Compensation and Classification team for their work on the project.

VI. 2015 Holiday Schedule

Armida Zamora, Executive Assistant, SPO presented the 2015 Holiday Schedule

Board Member Long moved to approve the 2015 Holiday Schedule, as presented, seconded by Board Member Garcia. Motion carried.

VII. 2015 Board Meeting Schedule

Armida Zamora, Executive Assistant, SPO presented the 2015 Board Meeting Schedule

Board Member Long moved to approve the 2015 Board Meeting Schedule, as presented, seconded by Board Member Garcia. Motion carried.

VIII. Annual Review of Safety Sensitive positions

Sharon Trujillo, HR Consultant, Agency Human Resource Services Division, SPO presented the annual review of Safety Sensitive Positions in accordance with Designation of Safety Sensitive Positions, Subsection C of 1.7.8.9 NMAC for Calendar Year 2015.

In accordance with Designation of Safety Sensitive Position, Subsection C of 1.7.8.9 New Mexico Administrative Code, the Board shall review annually the positions designated as safety sensitive. In accordance with Omnibus Transportation Employee Testing Act of 1991,

Subsection D of 1.7.8.8 New Mexico Administrative Code, the Board shall be advised annually of those positions covered by the Omnibus Act. It is not required for the Board to approve the Omnibus positions as safety sensitive as they are already designed that status by Federal Law based upon requirements such as Commercial Driver's License (CDL) or certification by the Federal Aviation Administration (FAA). Currently there are 1,131 Omnibus positions within eight agencies.

In accordance with Designation of Safety-Sensitive Position, Subsection D of 1.7.8.9 New Mexico Administrative Code (NMAC), the New Mexico Corrections Department requested the State Personnel Board's approval for removal of one (1) Safety Sensitive Designated position. Position #00029938, which has been reclassified from an Administrative/Operations Manager II to a Human Resources Training & Labor Specialist – Advanced and will no longer be performing tasks that require a Safety Sensitive Designation. Also in accordance with Designation of Safety-Sensitive Position, Subsection D of 1.7.8.9 New Mexico Administrative Code (NMAC), the Energy, Minerals and Natural Resources Department (EMNRD) requested the State Personnel Board's approval for removal of one (1) Safety Sensitive Designated position. Position #00005625 has been reclassified from Administrative/Operations Manager II to Administrative/Operations Manager I and will no longer be performing tasks that require a Safety Sensitive Designation.

Ms. Trujillo recommended that the State Personnel Board approve the removal of the Safety Sensitive Designation of the two requested positions and that the Board approve 5,339 existing Safety Sensitive positions for Calendar Year 2015. Upon Board approval, the total number of positions both safety sensitive and Omnibus for the State of New Mexico will be 6,470.

Board Member Long moved to approve the 2015 Safety Sensitive and Omnibus positions as presented, seconded by Vice Chairman Romero. Motion carried

IX. Continuation of Alternative Pay Bands

Stuart R. Hamilton, Compensation and Classification Analyst Sr., SPO presented the Recommendation for Continuation of Existing Alternative Pay Bands. The State Personnel Office is recommending that the State Personnel Board approve the retention of the existing 347 Alternative Pay Bands (APB) assignments through December 31, 2015 in accordance with 1.7.4.10 NMAC - assignment of Alternative Pay Bands. The APB assignment is a mechanism that provides for the assignment of a temporary Pay Band adjustment to an appropriately evaluated classification when agencies have retention or recruitment difficulties within a specific classification based on market factors. Interim Director Najaka stated the APB's are an emergency mechanism used when an agency has difficulties in recruiting and retaining employees. Mr. Hamilton stated that the Classification and Compensation project should help fix this issue.

Board Member Long moved to approve the Continuation of the Alternative Pay Bands as presented, seconded by Board Member Garcia. Motion carried

X. Adoption of Alternative Pay Bands for Education Administrators



Cliff McNary, Compensation and Classification Testing Manager, SPO presented to the board, recommendation of Adoption of Alternative Pay Bands (APB) for Education Administrators Advanced and Supervisor Classifications. This is Pursuant to Subsection A of 1.7.4.10 NMAC, Assignment of Alternative Pay Bands. The approval of the Upward Pay Band adjustment will allow the affected agencies to be more competitive in recruiting and hiring qualified candidates as well as retaining current incumbents. Mr. McNary emphasized that the Education Administrators are the back bone of the operations and are often recruited and lost to school districts and charter schools inside and outside of the state. Deputy Cabinet Secretary Paul Aguilar from the Public Education Department spoke to the board about the importance of these positions within the Public Education Department. Deputy Secretary Aguilar stated that in July and August of 2014, 20 Education Administrators left the agency. Although the agency recruits continuously for this position it is difficult to retain employees at this current pay band and it is difficult to remain competitive. This change will impact positions at the Public Education Department, Higher Education Department and the Children, Youth and Families Department. The implementation of this APB is in line with State Personnel Board Rules, and does not have a fiscal impact. However, individual agency utilization of the classification after implementation may have a fiscal impact.

Board Member Long moved to approve the Adoption of Alternate Pay Bands for Education Administrator as presented, seconded by Board Member Garcia. Motion carried

XI. Classification Studies

A. Medical Claims Coder Classification, Pay Band and Alternative Pay Band.

Michael McEuen, Compensation, Benefits and Job Analyst Advanced, SPO presented to the board the request for approval of the Classification Study for the Medical Claims Coder Classification. The State Personnel Office recommended that the State Personnel Board approve the proposed Medical Claims Coder Classification Description and Pay Band. This recommendation is the result of a class study requested by Miners Colfax Medical Center. The new classification of Medical Claims Coder would be a Pay Band 45 with an APB of 60. The Medical Claims Coder is a position at MCMC that is crucial in getting reimbursement for medical procedures. There are several international directories of various codes that are utilized, these codes are very complex and the need for proficient coders is vital to the agency. This position requires medical certification to perform the aspects of the job. Shawn Lerch from MCMC addressed the board and stated that MCMC receives no revenue from the General Fund. All revenue received comes from patient care and the need for Medical Claims Coder Classification is essential on capturing revenue. The implementation of this classification study, in line with State Personnel Board Rules, does not have a fiscal impact. However, individual agency utilization of the classification after implementation may have a fiscal impact.

Board Member Long moved to approve the request for the proposed Medical Claims Coder Classification Description and Pay Band as presented, seconded by Board Member Garcia. Motion carried



B. Unemployment Insurance (UI) Quality Assurance Representative Classification and Pay Band

Michael McEuen, Compensation, Benefits and Job Analyst Advanced, SPO presented, and recommended approval to the Board of, the Department of Workforce Solutions (DWS) Unemployment Insurance (UI) Quality Assurance Representative Classifications and Pay Bands. Mr. Jason Dean, Deputy Director from the Department of Workforce Solutions stated that this position is more along the lines of a quality assurance auditing function. Therefore the qualifications include accounting, finance and budgeting experience. This position consists of the analysis of the data as opposed to the collection of data.

Board Member Long moved to approve the request for the Adoption of the Department of Workforce Solutions (DWS) Unemployment Insurance (UI) Quality Assurance Representative Classifications and Pay Bands as presented, seconded by Board Member Garcia. Motion carried

C. Juvenile Correction Officer Classification Job Titles

Cliff McNary, Compensation and Classification Testing Manager, SPO presented, and recommended adoption of, the Juvenile Correction Officer Classification. As background, as of April 1, 1986 positions within the Classified System that have been exempt from Federal Insurance Contributions Act (FICA) withholdings are Police Officers, Firefighters and particular Correctional Officer and Juvenile Correctional Officer classifications. There are no changes to the Pay Band Assignments. The request is to change the Youth Care Specialist I, II and Supervisor titles to Juvenile Correction Officer I, II and Supervisor. Mr. McNary introduced Ms. Helen Quintana, Chief of Staff from Children, Youth and Families Department. Ms. Quintana stated that this title was originally presented to the board in August and since then valid feedback was presented to the agency. The position was originally title as Probation Officer and Correctional Treatment Specialist and was a shared classification title between the Corrections Department and Children Youth and Families Department. The request is to utilize the title that correctly reflects the positions that are currently in that classification.

Board Member Long moved to approve the request for the Adoption of the Juvenile Correction Office Classification Job Titles as presented, seconded by Board Member Garcia. Motion carried

D. Department of Cultural Affairs Classifications and Pay Bands

Theresa Rogers, Compensation and Benefit Analyst Advanced, presented and recommended to the board, Adoption of the Department of Cultural Affairs (DCA) Classifications, Pay Bands and Alternative Pay Bands related to the publications function. Ms. Rogers introduced the following staff members from The Department of Cultural Affairs: Michael Delello-Deputy Secretary, Claudia Gallardo de Campbell-Special Initiatives & Protocol Officer, Anna Gallegos-Director Museum of New Mexico Press and Therese Quintana-Doolittle-Human Resource Manager.



The request for reclassifications resulted from a class study that was conducted by the State Personnel Office at the request of DCA. The positions include the following titles: Museum Publications Director, Museum Press Art Manager, Museum Press Editorial Manager, and Museum Press Marketing Manager. The request is to reclassify the following positions:

Publications Director - Staff Manager to Administrative Operations Manager I

Art Manager – Line II Manager to Art Manager

Editorial Manager – Line II Manager to Editorial Manager

Marketing Manager – Public Relations Coordinator Advanced to Marketing Manager

Because these positions are specialized, specific qualifications are needed in order to fill these positions. Reclassifying the positions to the classifications that are proposed is vital in order to assist the agency in hiring the best qualified candidates.

Anna Gallegos, Director of the Museum of New Mexico Press addressed the board and provided background on the bureau and the importance of each position to the agency. Ms. Gallegos stressed the fact that these positions are extremely unique and there are no comparisons within state government. The reclassifications are necessary in order to recruit candidates with these specific qualifications and the ability to pay these individuals a competitive, market based salary.

Board Member Long moved to approve the request for the Adoption of the Department of Cultural Affairs (DCA) Classifications, Pay Bands and Alternate Pay Bands as presented, seconded by Board Member Garcia. Motion carried

XII. Litigation Update Judge Jessica Cooper and Judge Richard Levine

Judge Cooper, Administrative Law Judge, reported that in October and November, Adjudication received 16 new appeals and disposed of nine. In December Adjudication received one additional appeal and disposed of two. There are currently 38 pending appeals. There will be two appeals before the board at the next board meeting and one will be quite lengthy.

Judge Levine, Administrative Law Judge, reported that a decision from the First Judicial District Court in the case of Rivera v. New Mexico Department of Health. Judge Mathews stated his Court decision affirming SPB. As of December 4, 2014 the Adjudication Division has not been notified of any new appeals. There are currently five appeals on Judge Levine's list however three or four of these appeals may drop off before the next board meeting.

Chairman Yarbrough commended Judge Cooper and Judge Levine on the handling of the cases that have been negotiated and dismissed.

XIII. Other Business

Chairman Yarbrough requested modification of the Board's approval for item number VIII approval of Safety Sensitive positions. Only one item was approved by the Board, Sharon Trujillo clarified that there are two separate motions necessary; one is for the approval of the removal of the two safety sensitive designation from the positions #'s 00005625 and 00029938



that were presented and the other motion is approval of the 5,339 Safety Sensitive positions for calendar year 2015.

Board Member Long moved to approve the 5,341 Safety Sensitive positions for calendar year 2015, seconded by Board Member Garcia. Motion carried.

Next Meeting Date January 16, 2015

Chairman Yarbrough announced that there will be two departures from the Board. Rebecca Long has been elected County Commissioner for Lea County. Chairman Yarbrough thanked Board Member Long for her service to the board and the people of New Mexico. Chairman Yarbrough also announced his departure from the State Personnel Board effective March 1, 2015. Chairman Yarbrough and his family will be relocating to Denver, Colorado. Chairman Yarbrough stated that it has been an honor and a wonderful experience to serve on the board. His last meeting will be January 16, 2015. Interim Director Najaka thanked Chairman Yarbrough for his service to the board. Interim Director Najaka stated that under the direction of the board the State Personnel Office has accomplished some great things and thanked all the board member for their service.

XIV. Adjournment

With no further business, **Board Member Long moved to adjourn the State Personnel Board meeting at approximately 12:56 p.m., seconded by Board Member Garcia. Motion carried.**

Approved by:


Chairman Yarbrough
State Personnel Board

Attest:

Justin Najaka, Interim Director



